



IN THE U.S. PATENT AND TRADEMARK OFFICE

PATENT
0147-0189P

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Applicant: FISCHER Rainer et al.

Appl. No.: 09/419,788

Group: 1643

Filed: October 18, 1999

Examiner: UNKNOWN

For: MOLECULAR PATHOGENICIDE MEDIATED PLANT
DISEASE RESISTANCE

LETTER SUBMITTING PAPER
BEARING ORIGINAL SIGNATURE

Assistant Commissioner for Patents
Washington, DC 20231

February 17, 2000

Sir:

In the above-identified application, a copy of the original executed Declaration and Power of Attorney was submitted to the U.S.P.T.O. on January 31, 2000.

As evidence of authenticity of the copy under 37 C.F.R. § 1.4(d)(2), Applicant submits herewith the original executed Declaration and Power of Attorney, and requests that it be made part of the Prosecution History of the above-identified application by being added to the contents of the file wrapper of the above-identified application.

Appl. No. 09/419,788

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

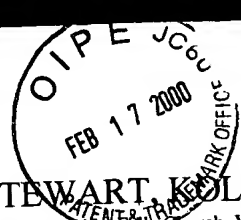
By Maryanne Armstrong (B) No. 49669
Gerald M. Murphy, Jr., #28,977

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Attachment

(Rev. 01/08/2000)



Attorney Docket No. 0147-0189P

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Telephone: (703) 205-8000 • Facsimile: (703) 205-8050PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MOLECULAR PATHOGENICIDE MEDIATED PLANT DISEASE RESISTANCE

Insert Title:

Fill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto, _____ as
the specification was filed on October 18, 1999 _____;
United States Application Number 09/419,788 _____ (if applicable) and/or
and amended on _____ as PCT
the specification was filed on _____; and was
International Application Number _____ (if applicable)
amended under PCT Article 19 on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Insert Priority
Information:
(if appropriate)

<u>98 11 9630.6</u> (Number)	<u>Europe</u> (Country)	<u>October 16, 1998</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>666/BOM/1998</u> (Number)	<u>India</u> (Country)	<u>October 16, 1998</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Priority ClaimedInsert Provisional
Application(s):
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested
Information:
(if appropriate)_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

(Application Number)

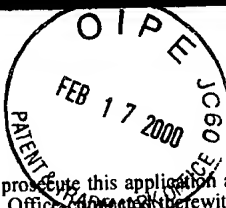
(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)



Attorney Docket No. 0147-0189P

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office, to be done therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

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PLEASE NOTE:
YOU MUST
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FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Document is Signed

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